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December 6, 2023

VIA ECF

Hon. Eric R. Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Spetner, et al. v. Palestine Investment Bank*, Case No. 1:19-cv-005 (E.D.N.Y.)

Dear Judge Komitee:

We represent Defendant Palestine Investment Bank (“PIB”) in the above-referenced action. We write pursuant to Your Honor’s Individual Rules and Practices to request an expansion of the Court’s page limits for the parties’ respective briefing on PIB’s forthcoming motion to dismiss the Second Amended Complaint. *See* Rule III.D.2 (“For complex cases or motion practice, parties are encouraged to request expansions of the Court’s page limits.”). PIB’s motion to dismiss is currently due on December 15, 2023 (DE 66).

We have conferred with Plaintiffs’ counsel, who have confirmed that they do not oppose the following request:

- PIB will file an opening brief not to exceed 45 pages;
- Plaintiffs will file an opposition brief not to exceed 45 pages; and
- PIB will file a reply brief not to exceed 22 pages.

PIB respectfully submits that the requested expansion is necessary so that PIB’s Rule 12(b)(6) motion can effectively address Plaintiffs’ 109-page, 746-paragraph Second Amended Complaint (DE 68), which exceeds the length of the First Amended Complaint (DE 36) by 24 pages, 94 paragraphs, and 3 exhibits. PIB must address the distinct legal elements (and deficiencies) of Plaintiffs’ three separate causes of action: (1) conspiracy to provide material support for terrorism under 18 U.S.C. § 2339A (primary liability); (2) provision of material support for terrorism under 18 U.S.C. § 2339A (primary liability); and (3) aiding and abetting foreign terrorist organizations under 18 U.S.C. § 2333(d) (secondary liability). An expansion is also

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needed to address the significant developments in the governing caselaw since these issues were last briefed.¹

For these reasons, we respectfully request that the Court grant the requested page-limit expansion and permit (1) PIB to file an opening brief not to exceed 45 pages, (2) Plaintiffs to file an opposition brief not to exceed 45 pages, and (3) PIB to file a reply brief not to exceed 22 pages. We thank the Court for its attention to this matter.

Respectfully submitted,

Squire Patton Boggs (US) LLP

/s/ Gassan A. Baloul
Gassan A. Baloul

cc: All counsel of record (via ECF)

¹ PIB's Memorandum of Law in Support of its Motion to Dismiss the First Amended Complaint (DE 41) was 51 pages.